

NOTICE OF DECISION - FINDINGS

Fuel Hazard Reduction, 2004

The findings are made pursuant to Section 21080.5 of the Public Resource Code (PRC), and Sections 1144-1145 of Title 14 California Code of Regulations (14 CCR). These findings pertain to the amendment of 14 CCR Sections § 895.1 Definitions; § 1052 Emergency Notice; § 1052.1 Emergency Conditions; and § 1052.4 Emergency Notice for Fuel Hazard Reduction. The amendments were adopted by the State Board of Forestry and Fire Protection (Board) on March 2, 2005.

I. BACKGROUND AND AUTHORIZATION:

The Z'berg - Nejedly Forest Practice Act of 1973 (ref. Division 4, Chapter 8 of the Public Resources Code) establishes the State's interest in the use, restoration, and protection of the forest resources. In this Act, Legislature stated its intent to create and maintain an effective and complete system of regulation for all timberlands. Public Resources Code Sections 4512, 4513 and 4551, gives the Board the authority to adopt such rules and regulations necessary to assure continuous growing and harvesting of commercial forest tree species; and to protect the soil, air, fish, wildlife and water resources.

The proposed amendment is being promulgated under the Board's statutory authority of PRC 4551 and 4592. This statute permits the Board to define an emergency condition. Such conditions permit Registered Professional Foresters (RPFs) to file an emergency notice with California Department of Forestry and Fire Protection (CDF) and immediately commence timber operations that address the bona fide emergency conditions.

II. DESCRIPTION OF REGULATORY ACTION:

The Board is promulgating a regulation necessary to provide regulatory relief for an emergency condition relating to wildfire threat and hazardous fuel conditions in the State's private timberlands, in accordance with existing statute PRC 4592. The proposed rule defines an Emergency Condition under 14 CCR §1052.1 and specifies the location, treatments and environmental protection measures related to the removal of live and dead fuel (vegetation) hazards near communities, roads and infrastructure facilities. The rule allows filing an Emergency Notice instead of a Timber Harvesting Plan when operations are conducted in accordance with the proposed rule conditions of §1052.4, Emergency Notice for Fuel Hazard Reduction, thus creating regulatory relief.

The general scope of the rule is private timberlands in and ¼ mile adjacent to "communities at risk", as listed by the California Fire Alliance. Additionally included for treatment are 500 feet from certain roads, permitted structures outside of the community areas, infrastructure facilities, and approved fire suppression ridges. This regulation may be used by all landowners, but may be of most use to small timberland owners, who often have the least means and capability to complete fuel reduction projects.

The purpose of the regulation is reduction of the vertical and horizontal continuity of fuels by using vegetative manipulation methods. These vegetative treatments modify surface fuels, remove ladder fuels, and thin the overstory canopy. The treatments are designed to retain larger, dominant trees and remove smaller trees and brush. This design accomplishes the dual goal of retaining a fire resistant forest stand and ensuring protection

of resource values such as habitat, continuous forest cover, air quality and beneficial uses of water quality.

Section §1052.1(e) defines a new Emergency Condition. An Emergency Condition must be defined, in accordance with PRC 4592, prior to allowing operations to be permitted with an Emergency Notice.

Section §1052.4 specifies the requirements under which the Emergency action will take place. This includes Subsection §1052.4(a), which requires the RPF filing the notice to document the emergency conditions and the vegetative treatments needed to reduce the fuel hazard condition,

Subsection §1052.4(b) identifies the general environmental requirements and restrictions applicable to the proposed rule. Subsection § 1052 (10) and (d) also describe environmental protection requirements specifically related to archaeological values.

Subsection §1052.4(c) identifies the geographic area where the fuel hazard reduction is permitted. The geographic scope was specifically limited by the Board to focus on treatment of strategic fire control areas (fuel breaks, emergency access roads and evacuation routes), human life (densely populated communities at risk and other remote housing structures), and valuable infrastructure assets (power lines).

Subsection §1052.4(d) identifies the vegetative treatments permitted by the proposed rule. Vegetative treatments focus on retaining the largest trees in the forest (§1052.4(d)(1) and (2)); retaining continuous forest cover by specifying minimum post canopy closure and stocking requirements (§1052.4(d)(3)(4)); clearing hazardous ground and ladder fuels to create at least 8 feet of clearance between the ground and the bottom tree crowns (§1052.4(d)(5)); and clearing surface fuels to reduce fire heat intensity to a level that creates less than a four foot high flame length (§1052.4(d)(6)). This flame length objective was found to be a widely accepted parameter for fire line heat intensity tolerable by fire suppression ground personnel.

Several subsections address additional resource protection measures necessary to reduce the regulation's impacts to less than significant. In addition to the large tree and continuous forest retention subsections which relate to wildlife protection, subsection §1052.4(e) and (b) address retaining special habitat elements and soil and water quality protection measures. For example these subsections include requirements for prohibiting harvesting in streamcourse and riparian areas, prohibit new road construction, researching the presence of special status wildlife and plant species, and incorporating special habitat elements such as down logs, snags and visual screening cover into the project area.

Section §895.1 provides new definitions to facilitate applicable post harvest fire behavior performance goals and to specify locations where the proposed vegetative treatments can take place.

III. GENERAL FINDINGS ON PROPOSED REGULATION

The State Board of Forestry and Fire Protection recognizes the urgent, extensive and on-going wildfire hazard existing on private forest lands resulting from the combination of increasing quantity and arrangement of natural vegetation. This wildfire hazard is a significant threat to human and natural resources on approximately 3 million of the State's 7.8 million acres of private, productive, and commercially available forest lands (referred to as *timberlands*). The imminent nature of the fuel hazard problem has also been repeatedly recognized by many high profile efforts including the Governor's Blue Ribbon Fire Commission of 2004, General Accounting Office report on western National Forest fire conditions, the Western Governors' Association promulgation of the National Fire Plan, the USDA Forest Service (USFS) Sierra Nevada Forest Plan Amendment, 2004, and legislation proposed by the California State Assembly.

The Board finds modern fire frequency exhibits longer return intervals and greater intensities in most areas than prior to European settlement, with the result being that California's wildlands have more potential for catastrophic wildfires. Past disruptions of natural fire cycles and other activities have resulted in wildfires of increasing intensity and severity that are a threat to the forest ecosystem, air quality, fresh water supplies, private citizens, emergency services personnel, and the overall public health and safety of California. Much of the State's timberlands have fuel and slope conditions that would support high or very high fire behavior when burned under severe weather conditions. Fires that burn in these areas under hot, dry, and windy conditions are difficult to control even by the world's most comprehensive wildland fire protection system. Fuel treated areas provide a better success rate for initial attack under these conditions. However, on wind driven fires, no control measures will completely work, even treated acres will burn. Treatments provide an anchor point where aggressive suppression will work when weather conditions become more favorable.

The Board finds fire hazard, the combination of terrain, fuel type and fuel condition, is steadily becoming more hazardous on timberlands. Healthy forests are a common goal for Californians, but overstocked forests cause increased tree mortality resulting in the build up of flammable fuels. Recent measurements by the USFS Forest Inventory and Analysis Program (FIA) indicate increasing level of stocking on private lands over the last three decades with millions of acres of coniferous forest types having stand densities far beyond stocking levels associated with the site capacity. This suggests that stands are very susceptible to significant levels of pest mortality and increased dead fuel loads. When combined with on-going drought and atmospheric zone damage, these conditions can lead to catastrophic wildfire events. The treatment of these hazardous fuels creates an opportunity to reduce the impact of wildfires on communities and natural and cultural resources, and restores health to fire-adapted ecosystems.

The Board finds that the proposed regulation is needed to address a hazardous situation present with action needed for immediate preservation of the public peace, health and safety, and the general welfare. The situation is based on:

- **The values at stake requiring wildland fire protection services are extensive and at imminent threat.** The Board finds that approximately 3 million acres of all conifer forest types on private land available for timber harvesting in the wildland urban interface have significant fire threat (exposed to High, Very High or Extreme Fire Threat as defined by the California Department of Forest and Fire Protection's Fire and Resource Assessment Program, FRAP). This area includes tens of

thousands of homes with median prices of hundreds of thousands of dollars per home.

- **There is a certainty that the risk of wildfire will remain high for decades to come.** The combination of seasonal meteorological events and fuel conditions combine annually to create a substantial fire threat. Fire history shows that these events will vary in location within the state on an annual basis. Currently, this is particularly true in Southern California, where significant insect mortality has increased hazardous fuel loading.
- **The combination of fuel, weather and valuable human and natural resource assets have created increasing amount of wildfire and increasing losses across all vegetation types (forest, shrublands, and grasslands).** Major wildland fires in California, epitomized by the extraordinary fires of October, 2003, threaten a wide range of public and private assets. In 2003, wildfires destroyed more than 730,000 acres and 3,600 residential structures, and resulted in the tragic loss of 25 lives in California. The southern California wildfires were followed by mudslides that tragically killed 14 people. The subsequent mudslides possibly resulted from vegetation lost to wildfire and flash flooding.

Recent five year average shows over 500,000 acres were burned, and as seen recently in 2003, this annual total varies greatly with over 700 thousand acres burned in some years. While the area burned in wildfires varies greatly year to year, when viewed statewide, there has been an apparent increase in high fire years (total area burned greater than 500,000 acres) since 1985.

While the acreage and number of wildfires is extensive and increasing on a statewide basis, a more significant trend is the climbing wildfire-related financial losses. From 1947 to 1990, the dollar damages to structures and other resources in State Responsibility Areas (SRA) exceeded \$100 million (2001 dollars) only once. Between 1990 and 2001, losses exceeded \$100 million five times.

Given these trends, the Board declares an emergency condition is found relating to wildlife threat and hazardous fuel conditions in the state's private timberlands, in accordance with existing statute PRC 4592, Emergency notice; content. To address this condition, action is needed for cutting and removal hazardous fuels, including trees, shrubs and other woody material to eliminate the vertical and horizontal continuity of tree crowns, ladder fuels and surface fuels, for the purpose of reducing the rate of fire spread, fire duration and intensity, and fuel ignitability. This action is necessary to expedite projects to increase safety and protection for forest ecosystems, air quality, fresh water supplies, private citizens, emergency services personnel, and the overall public health and safety of California, by reducing fire threats where ecosystem and public safety risks are excessive.

The Board finds that regulatory amendments are within the scope and consistent with, existing legislation including PRC 4292 and 4584, the Forest Practice Rules (Title 14 CCR, Chapters 4, 4.5 and 10), and California Environmental Quality Act.

The Board finds that allowing filing of an Emergency Notice instead of a Timber Harvesting Plan (THP) when operations are conducted in accordance with the proposed rule conditions creates regulatory relief. This finding is based the substantial difference in cost between preparation of a THP and an Emergency Notice.

The Board finds the general scope of fuel treatment for hazard reduction is of greatest priority on private timberlands with significant fire threats primarily within the “Wildland Urban Interface”(WUI). This scope focuses on forested landscapes where human assets and wildland conditions are found, and is termed the Wildland Urban Interface. The geographic scope most urgently required for treatments is within the WUI, or in other areas determined to be critical for fire protection. These include private timberlands in and ¼ mile adjacent to “communities at risk”, as listed by the California Fire Alliance; and 500 feet from certain roads, permitted structures outside of the community areas, infrastructure facilities, and approved fire suppression ridges. Within this area are many small timberland owners, who’s lands are near rural communities and have limited means to complete fuel reduction work vital for the protection of their own property and those in the neighboring community.

The Board finds the proposed regulation, which treats surface, ladder and, to a lesser extent crowns of trees, are necessary to reduce fire hazard. Such treatments include reducing tree crowns to no less than 40-60 percent crown closure, increasing height to live crown base distance to greater than eight feet, reduction of surface fuel to meet a four foot flame length fire behavior objective, and limited removal of trees less than 24 inches outside stump diameter, except if the goal of fuel reduction cannot be achieved by removing trees less than 24 inches outside stump diameter, trees less than 30 inches outside stump diameter may be removed if that removal is necessary to meet the fuel objectives stated in 14 CCR § 1052.1 (e). All tree removal requirements prioritize on removal of smaller trees necessary to meet fuel hazard reduction goals. These standards for treatment were identified by the Board, through expert testimony and in reviewing technical comments (in the rule making file), as adequate to reduce fire behavior to a four-foot flame height when burning in average severe fire weather and to meet the goal of reducing the vertical and horizontal continuity of fuels. This flame height condition is an acceptable level of heat intensity to allow use of hand crew suppression forces.

The Board finds it is necessary to limit the duration of the regulation for a three year period ending on December 31, 2007. This limited period of use will provide the Board an opportunity to assess the application of the rule and the extent of the remaining emergency condition in the forest.

The Board finds the regulation has incorporated mitigation measures that will eliminate or substantially lessen significant effects on the environment where feasible including potential impacts of individual projects and those projects taken together. The Board analyzed the potential cumulative effects and significant adverse environmental effects resulting from the treatments proposed in this regulation. The Board finds the regulation has impacts that are individually limited and not cumulatively considerable. This is based on, among other things, the application of the regulation on a limited geographic area, incorporation of mitigation measures to minimize potentially significant impacts, and application of the operational provisions of the Forest Practice Rules. These findings are discussed below.

The estimated potential available area where the proposed regulation could be applied is approximately 1.3 million acres and could be as high as 2.9 million acres. This lesser estimate resulted from GIS analysis of timberlands in the WUI excluding large portions of forested areas located on steep slopes greater than 40% unsuitable for mechanical equipment use. Other areas excluded are adjacent to hydrologic features such as lakes, perennial streams and rivers. These areas are considered as not available for treatment under this regulation.

Of the possible area of treatment (1.3 to 2.9 million acres), annual application of the regulation is expected to be very limited. The expected application of the regulation is less than 5000 acres per year over a three year period. The limited extent and wide geographic dispersion results in a less than significant level of cumulative impacts of the proposed regulation when all proposed and foreseeable projects are evaluated on a combined basis.

Mitigation measures include avoiding removal of larger trees; prohibiting operations in watercourses; no operation on steep slopes; no new road construction; watershed protection measures specifically designed for the unique water quality values in the Lake Tahoe Basin; incorporating protection requirements of species that may be impacted, including retention of special habitat elements (snags and down large woody debris), to maintain and enhance wildlife values, screening and cover to provide shelter and migration corridors; review and disclosure of threatened, endangered or sensitive species, and no operation in areas with a Board defined sensitive species; and cultural resource surveys. The Board has also required post harvest retention of a minimum of 100 square feet basal area, post harvest increase in quadratic mean diameter, and post harvest canopy retention standards. These will insure that removal will focus on smaller trees, as well as insuring that the stand after treatment will be stocked. Many other resource protective requirements are included by reference to and incorporation of standards in 14 CCR 1038 (b) (1)-(10) and (f) (1)-(14).

In addition to the specific components of the regulation described above, all other operational components of the States Forest Practice Rules are applicable. Together, the mitigation measures, application of the FPRs, and the limited scope of operations, assisted the Board in determining that the regulation will avoid any significant cumulative significant effects and eliminate or substantially lessen individual potentially significant effects on the environment.

Finally monitoring requirements for all regulations, pursuant to PRC 4553, will provide information to assess impacts from applications of Emergency Notice projects over the initial three year period. This information is provided to the Board in annual reports from CDF. This process ensures the mitigation measures are effective as predicted.

The Board finds the adoption of the regulation to be consistent with and non duplicative of other State statues in accordance with Government Code 11349 (Title 2, Div. 3 part 1, Chapter 3.5, Article 6). Consistency and non duplication is found when comparing similar recent (September, 2004) State legislation titled "Fire Prevention Exemption, an amendment to PRC 4584(k). This PRC amendment addressed the need to provide fuel hazard reduction treatment using an "exemption" instead of a THP. The exemption permits timber operations to remove trees up to 18 inches to 24 inches stump diameter except as needed to meet the fuel reduction goal. Such projects are permitted under this amendment anywhere in private forest areas where a bona fide hazard exists.

The Board's proposed emergency notice regulation has incorporated similar tree removal standards and resource protection measures as those in 4584 (k), making it consistent with the requirements and goals of PRC 4584(k). However, the Board finds that the adopted regulation does not duplicate specifications of 4584(k) as the adopted rule focuses on specific geographic areas (significant fire threat WUI) that are vital to human health and public safety, and protection of human assets and infrastructure. Additionally, the Board found its adopted regulation necessitated a larger tree diameter harvest limit when the goals of fuel hazard reduction could not be obtained with other smaller diameter limits.

The Board finds the adoption of the regulation to be consistent with other federal laws and plans designed to address similar conditions on federal land. Consistency is found when comparing the Board's proposed rule to the Healthy forest Restoration Act of 2004, and the Sierra Nevada national forest plan amendments. These laws and plans address the need for fuel hazard reduction, reduction in conditions that will result in a catastrophic fire and vegetation treatment that will maintain or improve habitat, water quality and other resource conditions. The Board reviewed these laws and plans and incorporated into its regulation relevant requirements consistent with the laws and plans that contribute to goals of fuel hazard reduction and wildlife habitat protection.

IV. FINDINGS ON ALTERNATIVES

The Board has considered several different conceptual regulatory alternatives as described below. The alternatives represent a variety of fuel hazard reduction vegetation manipulation and geographic applicability standards.

1. Fuel Reduction within 500 feet of Structures, Roads and Suppression

Ridges— This alternative would permit vegetation treatment within 500 feet from a legally permitted structure, either side of public, federal road, mainline road or private road providing access to legally permitted structures, or either side of a ridge suitable for fire suppression. Vegetation treatment includes harvests of trees up to 16 inches DBH; post harvest thinning or selection stocking standards; and removal of ladder fuels to a height equivalent to the average height of the base of the post harvest stand, but not less than 8 feet.

Finding: The alternative was rejected as it does not include a vegetative treatment prescription that was sufficiently intensive to achieve fuel hazard reduction goals. Removal of 16-inch maximum size trees was determined to not provide an adequate reduction in residual tree crown bulk density and results in limited contribution towards reduction in crown fire spread. Also the geographic scope was determined to be inadequate to provide an acceptable level of protection to homes. This alternative was evaluated to be very expensive to implement for an individual land owner in that intensive fuel treatments are required which produce low value biomass. Minimum amounts of larger, high values trees that could contribute to both fuel reduction and economic viability goals were not included.

2. Community Wildfire Protection Plan (CWPP) - This alternative permits vegetation treatment in the "Communities at Risk", within ¼ mile buffer in the "Wildland Urban Interface" (WUI) areas, in watersheds at risk, and strategic locations as designated in the CWPP(a CWPP is defined in federal law, Standards in Public Law 108-148, the Healthy Forest Restoration Act of 2003. This law is on file in the official rulemaking file for this regulation). Vegetation treatments include focus on the creation of shaded fuel breaks. Specifications include only single tree selection, minimum of 40% crown closure, post harvest minimum stocking standards, and slash treatment of operations generated fuels.

Findings: This alternative was rejected because the implementation of the fuel treatments would depend on the existence of a certified Community Wildfire Protection Plan. While federal funding and local expertise is developing to create such plans, they are currently not widely understood, developed or used. This limitation would not promote extensive on-the- ground application of the field treatments in the immediate time period (2005-2007).

- 3. Significant Fire Threat areas in the WUI** – This alternative permits vegetative treatments in timberlands throughout the WUI area (the Community at Risk and up to 1.5 mile buffer) with significant fire threats (as mapped by FRAP). Vegetation treatments focus on the creation of shaded fuel breaks in the Community at Risk and other strategic significant fire threat areas in the WUI. Treatments and permit conditions include reconfiguration of surface fuels to promote maximum 4 foot flame length; increasing the space between the ground and live co-dominant tree crown base to at least 8 feet; no specific diameter limit for commercial tree removal; RPF certification of prescription implementation (at least 80 percent of the landscape treated); canopy cover minimums of 30% to 40% for Sierra Mixed Conifer forest types (SMC) or 50% to 60% for Redwood/Douglas Fir (RWD/DF); and post harvest thinning or selection stocking standards.

Finding: This alternative was rejected because the geographic scope limitation is based on a GIS modeled perimeter. Lack of certain application of the perimeter in the field would create an enforceability problem. Additionally, the inclusion of no maximum tree harvest size limit raised concerns over the removal of larger size trees not needed for fuel hazard objectives.

- 4. Expand Defensible Space for Structures to 300 feet-** This alternative included treatments up to 300 feet from a structure or property line in lands classified as having High, Very High or Extreme Fire Threats. Vegetation treatments include creating defensible space/vegetative treatment standards outline by 1038 (c), (PRC 4291, 4584). This alternative depends on passage of new legislation to authorize this activity.

Findings: This alternative was rejected as the legislative action necessary to implement the action was not passed in the State Legislature.

- 5. THP Exemption for Hazardous Fuel Reduction up to 300 ac. -** This alternative adds fuel hazard reduction to the list of activities exempt from a THP under section 1038. It requires the Board to determine that fuel hazard reduction, and the commercial wood products generated by the operation, meets the statutory intent of PRC 4584 (b), “*[exempt a person from a THP when engaged in forest management activities that are limited to] removal or harvest of... minor forest products, including firewood*”. Upon determining that products generated by fuel hazard reduction projects meet this intent, Forest Practice Rules section 895.1 Definition, and section 1038, Exemption, can be amended to include specific fuel hazard reduction prescriptive/performance based language. The end result of this method is an RPF now has an option to conduct fuel hazard reduction projects without preparing a Timber Harvesting Plan; only an “Exemption Form” per 1038.2 would be filed.

Under this alternative, the geographic location of treatments includes any timberland area not to exceed 300 acres per exemption. Vegetation treatments and permit requirements include elimination of the vertical continuity and the horizontal continuity of vegetation, increasing the diameter of the post harvest stand, post harvest commercial thinning stocking standards, maximum 18 inches stump diameter trees may be removed, and RPF certifies preparation of the project.

Finding: The Board rejected this alternative after determining that commercial forest products (small sawlogs and biomass) generated by fuel hazard reduction projects may not meet the legislative intent for minor forest products. There is little legislative history clarifying the intention for minor forest products. The Board determined a discussion of the definition of minor forest products was not suitable at this time.

6. **Standards in Public Law 108-148, the Healthy Forest Restoration Act of 2003, (HFRA) -** The objective of this alternative is to mirror the requirements of the HFRA requirements. Geographic location is the WUI as defined in P.L. 108-148 (1/2 to 1 1/2 mile from Communities at Risk or as described in a wildfire community protection plan), condition class 2 and 3 lands, near municipal water supplies, or watersheds that feed into municipal water supplies. Vegetation treatments to create defensible space would be as outline by 14 CCR1038 (c), (PRC 4291, 4584).

Finding: This alternative was rejected as it is dependent on the terms and conditions outlined in the HFRA. One of the conditions is the development of a certified Community Wildfire Protection Plan. While federal funding and local expertise is developing to create such plans, they are currently not widely understood, developed or used. This limitation would not promote extensive on-the-ground application of the field treatments in the immediate time period (2005).

7. **Lake Tahoe Pilot Project -** The objective of this alternative is to take advantage of the current political support for preserving the unique watershed values of Lake Tahoe via fuel hazard reduction. This would provide an opportunity to apply treatments on a limited basis and evaluate it in a high profile, challenging resource protection situation. The geographic location is the WUI as described in the Tahoe Basin Fuels Reduction Action Plan (1250 ft. mile from urban areas). Prescriptions and operational requirements would be in accordance to CWPPs or other fire protection agency plans developed.

Finding: This alternative was rejected as the Board received limited input from stakeholders in the Lake Tahoe Basin on developing this project.

V. SUMMARY OF FINDINGS ON POTENTIAL IMPACTS AND COST

FINDINGS REGARDING POTENTIAL SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS

The Board analyzed the potential cumulative effects and significant adverse environmental effects resulting from the treatments proposed in this regulation. The Board determined that the regulation has impacts that are individually limited and not cumulatively considerable. This determination is based on, among other things, the application of the regulation on a limited geographic area, incorporation of mitigation measures to minimize potentially significant impacts, and application of the operational provisions of the Forest Practice Rules. These findings are discussed above under **General Findings**. No other alternative before the Board provided better protection and yet met the purpose of the proposed regulation.

FINDINGS ON COSTS

The Board finds there are no additional costs to any state agency, any state mandated costs to local agencies of government or school districts that require reimbursement under Part 7, Div. 4 Sec. 17500 GC because of any duties, obligations or responsibilities imposed on state or local or agencies or school districts.

This regulation does not create any savings or additional costs of administration for any agency of the United States Government over and above the program appropriations made by Congress. Additional findings related to socio-economic impacts are described below:

The Board has determined the proposed action will have the following effects:

- Mandate on local agencies and school districts: None
- Costs or savings to any State agency: None
- Cost to any local agency or school district which must be reimbursed in accordance with the applicable Government Code (GC) sections commencing with GC §17500: None
- Other non-discretionary cost or savings imposed upon local agencies: None
- Cost or savings in federal funding to the State: None
- The Board has made an initial determination that there will be no statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. This determination is based on the regulation being not mandatory, and those choosing to use it will incur substantially less permit preparation costs than existing permitting regulations.
- Cost impacts on representative private persons or businesses: The Board is not aware of any cost impacts that a representative private person or businesses would necessarily incur in reasonable compliance with the proposed action.
- Significant effect on housing costs: None
- Adoption of these regulations will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.
- Effect on small business: None. The Board has determined that the proposed amendments will not have an adverse affect on small business. The proposed regulation is designed to provide regulatory relief, leading to substantial reduction in regulatory filing and preparation fees.
- The proposed rules do not conflict with, or duplicate Federal regulations.

File: NOD FHR 6_1_05